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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,771	06/13/2006	Poul Richter Jorgensen	6714/PCT	5036
6858	7590	01/25/2008	EXAMINER	
BREINER & BREINER, L.L.C. P.O. BOX 320160 ALEXANDRIA, VA 22320-0160			FAN, HONGMIN	
ART UNIT		PAPER NUMBER		
2612				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/582,771	JORGENSEN, POUL RICHTER
	Examiner Hongmin Fan	Art Unit 2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 June 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 6-14 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 6-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7, 10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoshi et al (JP 7160959).

As to claim 6, referring Fig. 1-6, Kiyoshi et al disclosed a resonance label comprising a inductor coil 30, two capacitors C1 and C2 wherein C2 is cut out and fold over onto C1 so that C2 does not block electromagnetic wave through the inductor coil 30. Kiyoshi et al did not disclose that only one capacitor is formed by folding the second capacitor plate over onto the first capacitor plate. However, one of ordinary skills in the art readily recognizes that the smaller the capacitance the better Q is, therefore only one capacitor is needed instead of two capacitors. And, to form one capacitor, only two plates are need by folding one plate over onto the others.

As to claim 7, one of ordinary skills in the art readily recognizes that when folding the second capacitor plate a shielding plate is needed in order to avoid contacting the inductor coil, and the size and form of the shielding plate has to match the second capacitor plate.

As to claim 10, the claim is interpreted and rejected as claim 6.

As to claim 12, the claim is interpreted and rejected as claim 6.

Claims 8-9, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoshi et al in view of Tsai et al (US 6097291).

As to claim 8, Kiyoshi et al did not disclose the resonance label is formed onto a CD or DVD around central hole in the CD or DVD. However, it is known in the art to form a resonance tag around central hole in a CD or DVD. Referring to Fig. 6b, Tsai et al teaches EAS tag for direct application to DVD wherein a tag 41 is formed around the central hole in a CD or DVD. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to form a EAS tag around the central hole in DVD in order to allow electromagnetic wave to pass though the inductor coil unimpeded.

As to claim 9, the claim is interpreted and rejected as claim 8.

As to claim 13, the claim is interpreted and rejected as claim 6.

As to claim 14, the claim is interpreted and rejected as claim 6.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoshi et al in view of Tait (US 4598276).

As to claim 11, Kiyoshi et al did not expressly disclose a folding tool and a roller. However, it is known in the art to fold resonant sheet and use roller to press sheets together. Referring Fig. 7A, Tait teaches capacitance LC resonant circuit and disclosed in the background that the sheet is thereafter folded over such that appropriate conductive areas become opposed to each other to form matching capacitor plates

with a portion of the dielectric sheet sandwiched therebetween (i.e. by tools)(col. 1, line 48-52); further pressure rollers 146 and 148 to fuse the dielectric layers together (col. 10, line 58-59). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to have a folding tool and roller in order to form a capacitor.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hongmin Fan whose telephone number is 571-272-2784. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HF

  
DAVETTA W. GOINS  
PRIMARY EXAMINER